

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

ANDREA WIMMER, et al.,

Plaintiffs,

v.

CITY OF ST. CHARLES, et al.,

Defendants.

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Case No. 4:21-cv-01126-MTS

**CONSENT MOTION TO INTERVENE**

COMES NOW Intervenor Amanda Fry, by and through counsel, pursuant to Rule 24 of the Federal Rules of Civil Procedure, and hereby moves this Court for leave to intervene in the above-referenced matter with the consent of all parties for the purpose of participating in the apportionment of the settlement proceeds in this case. In support thereof, Intervenor states to the Court as follows:

1. On March 7, 2022, Plaintiffs filed a Motion for Hearing and Stay of Scheduling Order [ECF No. 30] to approve a settlement reached between the parties.
2. Intervenor is the widow of the decedent, Joshua Landherr, entitling her to intervene and seek a share of settlement proceeds pursuant to MO. REV. STAT. §§ 537.080.1(1) and 537.095.2.
3. Intervenor became aware of the settlement between the parties this month, and undersigned counsel was retained by Intervenor this month as well.
4. Intervenor seeks to intervene in this action as a matter of right in order to participate in the apportionment of the settlement proceeds between the parties.
5. The other parties' counsel in this action consent to Intervenor intervening in this case for purposes of participating in the apportionment of the settlement proceeds.

WHEREFORE, Intervenor respectfully prays that this Court grant her Motion to Intervene, and for such other and further relief as this Court deems just and proper in the premises.

Dated: March 31, 2022

Respectfully submitted,

**DONNER APPLEWHITE, ATTORNEYS AT LAW**

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*Attorneys for Intervenor Amanda Fry*

**CERTIFICATE OF SERVICE**

I hereby certify that on March 31, 2022, the foregoing was filed utilizing this Court's ECF system, which will distribute an electronic version of the foregoing to all counsel of record.

/s/ Thomas R. Applewhite